

AN INTERFAITH CALL TO THE  
RELIGIOUS COMMUNITY,

# A CALL TO LIBERATION

TOWARDS A MINISTRY TO  
PRISONERS OF CONSCIENCE

A Call to Liberation, an Interfaith Call to the Religious Community, is a Project of the International Tribunal on Political/POW Prisoners, 24 E. 116th, NYC, NY 10029, (212) 860-4101

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# INTRODUCTION

On July 28, 1990, at the American Indian Community House in New York City, an Interfaith Religious Summit on Political Prisoners was convened. Attended by more than 40 national theologians, clergy and lay people from the Catholic, Jewish, Muslim, Native Spiritual, and Protestant communities, the Summit reviewed the conditions and terms of imprisonment of the more than 100 persons currently in jail for their political beliefs and actions. The Summit, a project of the International Tribunal on the Human Rights Violations of Political Prisoners/POWs in the US, was sponsored by the Racial Justice Working Group of the National Council of Churches (NCC), the Interfaith Prisoners of Conscience Project of the Prophetic Justice Unit (NCC), the NCC Commission on Justice and Liberation, the United Church Board for Homeland Ministries, and Clergy and Laity Concerned.

The issue of political prisoners in the U.S. is a crucial one for our time. All those concerned with human rights in the world must, we believe, bear witness and take action on behalf of those prophetic voices who now find themselves behind bars. It is ironic that just as U.S. governmental officials welcome the release of former South African political prisoner, Nelson Mandela, so too do the same officials deny the existence of political prisoners here at home. It is a testimony that as we approach the 500th anniversary of European colonialism in the Americas, the U.S. government still holds in prison, indigenous American activists whose chief crime is fighting for the land which is rightfully theirs.

The Interfaith Religious Summit hoped to continue a process of education and inspiration on this issue, among people of faith in the U.S. Our session began with reflections from five former political prisoners, individuals whose leadership in their various communities moved them to take action. They inspired us with their example of the work that they had done and with the courage and strength they showed with their resistance to the repression brought down on them.

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Mr. Ted Means of the Heart of the Earth Survival School and the Prison Project, graphically explained the plight of the Native American in the U.S. , and challenged us to struggle for greater understanding and justice. Sister Anne Montgomery, one of the original Plowshares Eight and a participant in six additional Plowshares disarmament actions, told us of her experiences in building communities against the arms race.

Mr. Dhoruba Bin Wahad, a former member of the Black Panther Party, discussed his nineteen years behind bars for a crime that he did not commit. Mr. Bin Wahad examined the inter-religious basis for work on issues of amnesty and human rights, and reflected on the points of unity between the prisoners of conscience, prisoners of war, and political prisoners. Ms. Maria Cueto, an Episcopalian activist from the Mexican community, shared with us her two experiences as a grand jury resister. Proclaiming the importance of the position of non-collaboration with state repression, Ms. Cueto affirmed the support of the church in the past, and called for continued responsiveness to issues of true justice. Finally, Rev. Dr. Benjamin Chavis, Executive Director of the Commission on Racial Justice, United Church of Christ, reminded us that support for political prisoners is not simply about supporting individuals in jail, but is primarily about defending the movements for peace and justice in which we all work. A movement that does not defend its leaders, he asserted, cannot expect people to want to join and be part of it. Dr. Chavis, the first U.S. citizen to be proclaimed a political prisoner by Amnesty International, reminded us of the special role and responsibility that religious people must take on.

The Summit discussed a variety of strategies for advocacy and mission work on the prisoners. The Interfaith Religious Call on Political Prisoners, a Call to Liberation, was seen as one concrete way of informing our constituencies and building material and spiritual support. As we looked over a draft of the Call, we solicited input on how the Call might be made most appropriate for the diverse sectors from which

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we come together. Using the sacred texts and writings of our various faiths, we hoped to create a truly unifying document to religious leaders and to the grassroots, a Call for mercy and for human rights, for education and inspiration, for justice, a Call to Action.

We also discussed the need for support of the International Tribunal on Political Prisoners, to be held during United Nations Human Rights Week, December 7th through 10th, 1990 at New York's Hunter College/ CUNY. The Tribunal will bring together nine prominent judges from five continents, to review testimony from legal experts, former prisoners, family members, and the prisoners themselves. The verdict of the judges will be an instructional tool for our own support work for years to come. The testimony itself provides us with the information necessary to make our advocacy most effective. The need for both mobilization and financial assistance, for the Tribunal and for the work beyond it were stressed, even as we realized our limits in a conservative environment.

And so, we present to you this Call, and a transcript of the speech from the Tribunal Coordinator, Dr. Luis Nieves Falcón. It is our sincere hope that you may be moved to use it in worship and in contemplation, to use it as a study tool and as a resource for future work. We do not consider the Call to be a finished document; we must have active input and response for it to be a success. We hope for more and more congregations and individuals to sign onto the Call, until there is a national consensus that justice must be done. We must carry on the vision of a liberating theology, and practice a redemptive lifestyle of justice, "until the captive are set free..."

Ms. Lois M. Dauway  
NCC Commission on  
Justice and Liberation

Imam Khalid Abdul Fattah-Griggs  
Institute for Islamic Involvement

Rev. Alfonso Roman  
United Church Board for  
Homeland Ministries,  
NCC Racial Justice Working Group

Ms. Suzanne Ross,  
Coordinator of Jewish Issues  
Clergy and Laity Concerned

Ms. Ingrid Washinawatok  
Indigenous Women's Network  
American Indian Movement

Rev. Michael Yasutake  
Interfaith Prisoners of  
Conscience Project

## A Interfaith Call to the Religious Community, Towards a Ministry to Prisoners of Conscience

# A CALL TO LIBERATION

“That thou may say to the prisoners. Go Forth; to them that are in darkness, Show yourselves... Even the captives of the mighty shall be set free”  
(Isaiah 49:9, 25)

“The Spirit of the lord is upon me, because he hath anointed me to...set at liberty they who are oppressed”  
(Luke 4:18)

“Righteousness does not go east or west, but sets the captives free” (Holy Qu ran)

Through the ages, communities of faith have been concerned with the well-being of those who have been incarcerated. It has been accepted that one of God's given gifts to us is our freedom.

In the U.S. today, the growing prison population now represents over half a million persons. As people of faith we are concerned about all of those imprisoned, but take particular note of those jailed for uniquely political reasons, of those political prisoners that the U.S. government denies the existence of. These prisoners represent a population often forgotten and usually subjected to inhumane conditions, worse than the rest of the inmate populations.

Political prisoners in the U.S. include prisoners of conscience, such as the plowshares community, who are led by their faith to act against the false idols of militarism, and who act in strict nonviolence to dismantle the bombs and carry out



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real disarmament. Political prisoners include those who call themselves Prisoners of War, whose struggles for justice and freedom have led them to struggle against those forces who have waged genocide against their people. From the Puerto Rican, Native American and Black/New Afrikan communities, these P.O.W. s represent a militant and patriotic grouping, who struggle for peace within the context of independence and sovereignty. Political prisoners also include a wide range of people who, as a consequence of their active involvement in political movements and organizations, have been targeted by the government for repression, harassment and jail. In short, they share in common the fact that their time behind bars has more to do with their beliefs than with the alleged “criminal” acts for which they have been charged.

The more than 100 political prisoners in U.S. jails today face human rights abuses and conditions condemned by the United Nations Standard Minimum Rules for The Treatment of Prisoners. They have been faced with arbitrary arrest, detention and imprisonment; they have been subjected to preventative detention and political internment through the grand jury. Many have been denied a fair trial, and face cruel and degrading treatment, including physical and psychological torture, sexual abuse, and racism. Their plight is the plight of all those concerned with human rights.

## THE ROAD TO IMPRISONMENT

“Trouble no person about their religion - respect their views and demand that they respect yours...seek to make your life long and of service to your people”  
(Teachings of Tecumseh)

“And they shall beat swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more”  
(Isiah 2:4)

“O You who believe: Be steadfast witnesses for Allah in equity and let not hatred of any people seduce you that you deal not justly. Be just; that is nearer to piety”  
(Qur'an 5:8)

“For I was hungry, and you gave me meat; I was thirsty and you gave me drink; I was strong and you took me in; I was in prison and you visited me...And the Lord shall answer and say unto them, Inasmuch as you have done it unto one of the least of these my brethren, you have done it unto me”  
(Matthew 25:35-40)

The political prisoners respond to a deep sense of dissatisfaction with a social and political order that is characterized by racism and colonialism.

The political prisoners object to the mindset of cultural and national superiority which, no less than 500 years ago in 1492, led to the foundation of an apartheid system in the New World.

The political prisoners resist the policies that feed a military industrial complex, while depleting the resources available to sustain a better quality of life for millions of poor people in the world.

The political prisoners question a national security ideology that subordinates every social value to the hegemony of

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the interests of the dominant political and economic elite.

The political prisoners' dissenting activities are interpreted by the dominant society as insurrectionary and so, they are considered terrorists. Their cases are judicially criminalized as an attempt to silence their voices of ideological protest.

The political prisoners thus become scapegoats for an increasingly dehumanized state apparatus, seeking new human sacrifices.

## THE NEW IDOLS

As people of faith, we see the suffering caused by the violent institutions of our society that perpetuate racism and colonialism, and we especially identify the status of our present U.S. society as the manifestation of new idols trying to usurp the heart of the nation. As they take possession of the institutional fiber of the country, signs of death thrive; life and all creation seem to be in danger. Those new idols tempting our global life and claiming our spiritual loyalty are:

- the idols of greed and materialism
- the idol of power over another
- the idols of Eurocentricity, white supremacy, racism, and sexism
- the idols of borders, and man's possession of land for profit
- the idols of self-centeredness and "thingness"
- the idols of national security and nuclearism

In our sacred writings, we find admonitions against this kind of idolatry. Some of these texts call us to repentance and obedience to a God of justice and mercy, others call us to a new and interdependent relationship with all life. As we follow these paths, new life flourishes and peace abounds.

"The wrongs? The selfish pride of birth, the massing of power and wealth in the hands of the few, the slaughter of female infants, the orgies of gambling and drunkenness, the frauds

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of temples and idols and priests, the feuds and arrogance of tribes and races, the separation of the sacred and profane, as if the unity of All Life and All truth did not flow from the unity of God Most High”

(Qu ran c. 36)

“You ask me to cut grass and make hay and sell it to the rich like the white man...But how dare I cut off my mother s hair?”

(Smohalla, Nez Perce)

“Is not the sky a father and the earth a mother and are not all living things, with feet and wings or roots their children?”

(from Black Elk s vision, Oglala)

“Even as a mother, at the risk of her life, watches over and protects her only child, so with a boundless mind should one cherish over all living things.”

(Metta Sutra, Buddhist scripture)

“Many false prophets shall rise, and shall deceive many, And because inequity shall abound, the love of many shall grow cold. But those that shall endure unto the end, the same shall be saved”

(Matthew 24:11-13)

“If your heart turns away and you give no heed, and are lured into the worship and service of other Gods, I declare to you this day that you shall certainly perish...Choose life - so that you and your children may live”

(Deuteronomy 30:17-19)

## NEW PROPHECY FOR A TROUBLED TIME

We must understand these prisoners, heralding a new prophecy of a troubled time, in concrete human terms:

There is Jean Gump, 61-year old Irish Catholic, and mother of 12, who in 1986 entered a nuclear weapons silo in Holden, Missouri, and with four other Catholic Workers, cut the electrical sensor equipment, poured blood on the silo covers in the form of a cross, painted “Disarm and Live For The Children” on the silo lid, and left indictments charging the U.S. Government with committing crimes against the laws of God and humanity. She decided that she had to “get serious” about stopping the arms race after the birth of her first grandchild in 1983.

There is Abdul Majid, a Muslim leader and former member of the Black Panther Party. An organizer of the free breakfast programs, free clothing programs, and liberation schools for youth, he became a target of the U.S. government Counter Intelligence Program (COINTELPRO) against the Black Panthers. After two mistrials and deliberate attempts to hide evidence helpful to the defense, the government was able to jail Majid for attempted murder. In 1990, after the holy month of Ramadan, Abdul was placed in solitary confinement at Great Meadow Prison in New York. Claiming that he had spoken to a Muslim cook about not preparing meals during the holy fast times, the prison charged him with “demonstrating.” Though these claims were never substantiated, the prison report reveals their real reasons for isolating Majid: “he is part of the Muslim hierarchy.”

There is Leonard Peltier, a member of the Anishinabe/Lakota nation, born in North Dakota. During the early 1970 s, at a time when COINTELPRO activity against the American Indian Movement and activists at reservations was particularly heavy, Oglala organizers and traditional elders set

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up an encampment on the land of the Jumping Bull family. The Jumping Bull Camp, on the Pine Ridge reservation was put together to protect the community from F.B.I. operatives. After a U. S. military “invasion” of the camp, Peltier and two others were charged with the murder of two federal troops. In 1984, along with Standing Deer and Albert Garza, Peltier began a spiritual fast to call attention to the systematic denial of religious rights at the “super-maximum” security prison at Marion. For defending his people and their traditional spiritual ways, Peltier remains in prison despite petitions from millions worldwide, including the Archbishop of Canterbury, Archbishop Desmond Tutu, and fifty members of the U.S. Congress. After 500 years of colonialism, the U.S. government still denies indigenous people the right to land, and still denies Peltier his freedom.

There is Alejandrina Torres, a model church and community activist from the Puerto Rican section of Chicago. As a teacher at an alternative Puerto Rican high school and secretary of the First Congregational Church (United Church of Christ), she became a leader of the National Committee to Free Puerto Rican Prisoners of War. In prison, she has suffered a heart attack due to the daily trauma of her environment, and she has been denied proper medical care. At the infamous Lexington Control Unit, she was not permitted to participate in recreational activities or to attend religious services. In 1984, Alejandrina experienced a brutal physical assault, when a male guard forced her to submit to a second strip search after a visit from her daughter. Yet, Alejandrina's spirit remains strong: for her own freedom and the freedom of her people.

Dr. Alan Berkman was raised in a Jewish household, where involvement in the synagogue meant involvement with the community. Active in the civil rights and anti-war movements of the 1960s he used his medical skills to build solidarity with the Black Liberation and Puerto Rican independence movements, with Native Americans and with

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oppressed communities in New York, Alabama and Boston. Though diagnosed with Hodgkins Disease, he was held in preventative detention awaiting trial for two years. He has been eligible for parole since 1987, and just had all charges dropped relating to the D.C. Resistance Conspiracy case. Bishop Browning, head of the Episcopal Church in the U.S, stated that he has reviewed the case in depth and found that Berkman s continued incarceration is both “inappropriate and without justification.” No action has been taken, however, and Alan s cancer keeps getting worse.

Mumia Abu-Jamal was a young Black Panther Party member, and has been a reporter in media: print and broadcast. Following the MOVE bombings in Philadelphia, on which Mumia reported, a shoot-out occurred between the police and a group of men with dreadlocks. Mumia ended up beaten and shot; an officer was also shot. In a trial where Mumia tried to defend himself, and with a racially imbalanced jury, much evidence centered around the activities of the Black Panther Party. These documents were meant to incite fear among the white jurors, who delivered a guilty verdict with death penalty attached. He still awaits the possibility of cruel state murder.

These are but a few of the prisoners of conscience, prisoners of war and political prisoners. As we reflect upon their road to imprisonment, we must also project our own work on the road towards building a more just society. Defending political prisoners does not simply mean engaging in defense of an individual, but rather calls us to defend the movements of peace and justice in which we work.

“I wanted to stand true to the old traditions that are sacred to me, and I found before me a door open to a jail...”  
-Chief Dan Katchangua, Hopi Sovereign Nation

“Fighting in defense of truth and right is not to be undertaken light heartedly, nor to be evaded as a duty”  
(Qur an c. 51)

## A CALL TO A MINISTRY FOR FREEDOM

As interfaith members of the United States religious community, we commit ourselves to respond in faith to the conditions in which our brothers and sisters in prison endure. As such, we renew our engagement in the world of the suffering, and covenant among us to:

- engage in a process that will help us to have a clear analysis of the situation facing each one of the political prisoners.
- make an effort to understand their struggle and the root causes that brought about their incarceration.
- disseminate true information on the specific cases unmasking the myths regarding political prisoners.
- facilitate and be engaged in religious services as needed by the prisoners.
- participate actively in efforts supporting their struggle for peace with justice, for human rights and amnesty.

“Stand out firmly for justice to all, even against yourself or your nearest of kin. Remain firm in faith”  
(Qu ran c. 67)

“For hatred does not cease by hatred at any time, hatred ceases by love. This is an ancient law.”  
(Dhammapada, verse 5, Buddhist scripture)

“The Spirit of the Lord God is upon me, because the Lord hath anointed me to preach good tidings unto the meek...to proclaim liberty to the captives and the opening of the prisons to those who are bound”  
(Isiah 61:1)



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The following national organizations have endorsed this call:

Christian Church (Disciples of Christ),  
Church Action for Safe and Just Communities

Clergy and Laity Concerned

The General Board of Church and Society,  
United Methodist Church

Interfaith Prisoners of Conscience Project of the  
Prophetic Justice Unit, National Council of Churches

National Assembly of Religious Women

Metodistas Asociados Representando la Causa Hispano-Americana  
(MARCHA), Iglesia Unida Metodista

National Interfaith Task Force on Criminal Justice

Racial Justice Working Group of the  
National Council of Churches

United Church Board for Homeland Ministries,  
United Church of Christ

United Church Board for World Ministries, World Issues Office  
United Church of Christ

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The following individual religious leaders have signed the call with organizations listed for identification purposes.

Bishop Philip Cousin  
11th Episcopal District  
African Methodist Episcopal Church

The Right Rev. Walter D. Dennis, Suffragan Bishop  
Episcopal Diocese of New York City

Bishop Lowell G. Erdahl, St. Paul Synod  
Evangelical Lutheran Church in America

The Most Rev. Thomas J. Gumbleton, Aux. Bishop  
Catholic Archdiocese of Detroit

The Right Rev. Barbara C. Harris, Suffragan Bishop  
Episcopal Diocese of Massachusetts

The Rev. Dr. John Humbert, General Minister and President  
Christian Church (Disciples of Christ)

The Right Rev. J. Antonio Ramos  
Episcopal Bishop

The Right Rev. Dr. Roy I. Sano, Bishop  
the Denver area, United Methodist Church

The Most Rev. Walter T. Sullivan, Bishop  
Catholic Archdiocese of Richmond, Virginia

Bishop C. Dale White  
New York area United Methodist Church

Mr. Dwaine C. Epps, Director Global Issues and Programs  
Church World Service and Witness  
National Council of Churches of Christ, USA

Father Brian J. Grieves  
presiding Bishop's Office on Peace and Justice  
Episcopal Church, USA

Rev. M. William Howard, past president  
National Council of Churches, USA

Rev. Tyrone Pitts, General Secretary  
Progressive National Baptist Convention

Ms. Diane Porter  
Presiding Bishop's Deputy for Public Ministries  
Episcopal Church, USA

Dr. Jean Sindab, Executive Secretary  
Program to Combat Racism  
World Council of Churches

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Rev. Jovelino Ramos, Associate Director  
Racial Justice Ministries  
Presbyterian Church, USA

Rev. Esdras Rodríguez Díaz  
General Commission on Religion and Race  
United Methodist Church

Dr. Pat Rumer, General Director  
Church Women United

Dr. Loretta Williams  
National Interreligious Commission on Civil Rights

Rev. Jew Don Boney  
National Black United Front

Mr. Ramsey Clark, Esq. former US Attorney General  
Plowshares Defense Fund

Rev. William Sloane Coffin, president, SANE/FREEZE  
Campaign for Global Security

Rev. Herbert Daughtry  
African People's Christian Organization, House of the Lord Church (NY)

Mr. William Davis, Director  
Christic Institute (West)

Sister Marie D. Grasso, National Chairperson  
Pax Christi, USA

Sister Mary Kownacki, OSB, Executive Director  
Pax Christi, USA

Rev. Dr. Joseph E. Lowry, President  
Southern Christian Leadership Conference

Mr. Daniel Levitas, Executive Director  
Center for Democratic Renewal

Mr. Matt Meyer  
War Resister League

Mr. Ed Nakawatase  
American Friends Service Committee

Ms. Barbara Owl  
International Indian Treaty Council

Ms. Carmen Rivera, Director, Office on Racial Justice  
Young Women's Christian Association

Mr. Andres Thomas  
United Methodist Seminars

Rev. Lucius Walker, Director  
Interfaith Foundation on Community Organization

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Mr. Douglas Hostetter, Executive Director  
Fellowship of Reconciliation

Mr. Dale Aukerman  
Brethern Peace Fellowship

Rabbi Philip Bentley, President  
Jewish Peace Fellowship

Ms. Sharon Bishop, Chair  
Unitarian Universalist Peace Fellowship

Mr. A. Garnett Day, Executive Secretary  
Disciples Peace Fellowship

Ms. Margaret Howe, National Coordinator  
Buddhist Peace Fellowship

Mr. Bill Ofenloch  
Catholic Peace Fellowship

Rev. L. William Yolton, Executive Director  
National Interreligious Service Board on Conscientious Objection;  
Presbyterian Peace Fellowship

PUERTO RICO  
Rev. Parilla Bonilla  
Iglesia Bautista de Roosevelt

Rev. José M. Vilar  
Parroquia la Encarnación, Iglesia Episcopal Puertorriqueña

Rev. Juan A. Vera  
Methodist Church  
National Ecumenical Movement of Puerto Rico

Rev. Eunice Santana Melecio  
Christian Church (Disciples of Christ)  
General Director  
National Ecumenical Movement of Puerto Rico

Father Rosalé Fernández Pola  
Transfiguration Puerto Rican Episcopal Church

Ilustrísimo y Reverendísimo David A. Alvarez  
Iglesia Episcopal de Puerto Rico

LOCAL  
Imam Jamil Abdullah Al-Amin  
Community Mosque of Atlanta (GA)

Father Dan Berrigan

Father Philip Berrigan and Liz MacAllister  
Jonah House (MD)

Rev. Elizabeth Butler  
Salvation Baptist Church (NY)

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Rev. Calvin Butts  
Abyssinian Baptist Church (NY)

Brother John T. Conway  
Order of Friars Minor, Capuchin (WI)

Sister Darlene Cuccinello  
Intercommunity Center for Justice and Peace (NY)

Mr. Jerry Ebner  
Plowshares activist (WI)

Rev. Graylon Scott Ellis-Hagler  
Pastor, Church of the United Community (MA)  
Assoc. Regional Minister, Christian Church (Disciples), Northeast

Ms. Rowena General  
Mohawk Warriors Society (NY)

Angelica and Richard Harter  
United Church of Christ (MA)

Sister Jean Hughes  
Eight Day Center for Peace and Justice (IL)

Father Paul Kabat  
Plowshares activist (IL)

Ms. Katya Komisaruk  
White Rose Disarmament/Plowshares activist (CA)

Imam Al Amin A. Latif  
Masjid Al Muminin (NY)

Rev. Lawrence Lucas  
Resurrection Roman Catholic Church (NY)

Mr. Paul Magno  
Olive Branch Catholic Worker (Wash. DC)

Mr. Elmer Maas, Mr. John Munves and the  
members of the Kairos community (NY)

Mr. Imani Mahdi  
New Afrikan Network in Defense  
of Political Prisoners and POWs (Wash. DC)

Ms. Wende E. Marshall  
Black Women's Caucus, Union Theological Seminary (NY)

Rabbi Robert J. Marx  
Congregation Hafaka (IL)

Ms. Julia Matsui-Estrella  
Pacific and Asian-American Center  
for Theology and Training (CA)

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Rabbi Marshall Meyer  
Congregation B'nai Jeshurun (NY)

Minister Ernest Mohammed, Mosque #45  
Nation of Islam (TX)

Minister Kevin Mohammad  
Representative of the Hon. Louis Farrakhan, Mohammad Mosque #7  
Nation of Islam (NY)

Rev. Roberto Morales  
St. Ann's Church  
Episcopalian (NY)

Ms. Donna Nevel  
Jews for Economic and Racial Justice (NY)

Imam Ali Rashid  
Masjid Malcolm Shabazz (NY)

Dr. Mark Ridley-Thomas  
Southern Christian Leadership Conference of Greater Los Angeles (CA)

Mr. Philip M. Runkel  
Catholic Worker Archives, Marquette University (WI)

Father William Starr  
Episcopal Chaplain, Columbia University (NY)

Rev. Jose Alberto Torres  
First Congregational Church, UCC (IL)

Ms. Majorie Van Cleef  
Pledge of Resistance (CT)

Imam Siraj Wahaj  
Masjid at-Ta'qwa (NY)

Mr. Art Woolsey  
Native American Indian Inmates Support Project (NY)

# THE TRIBUNAL ON VIOLATIONS OF HUMAN RIGHTS OF POLITICAL/POW PRISONERS IN THE US

Dr. Luis Nieves Falcón

Historically the development of a philosophy on individual human rights has been grounded on the notion that fundamental human rights stem from attributes inherent to human beings. Their collective disregard or violation is sufficient cause for people deprived of their basic human rights to seek redress of their grievances outside the normative sphere prevailing in a particular society at a particular moment, since the official normative sphere may constitute itself a principle source of such violations. This conceptual relationship has been most clearly established in the North American Declaration of Independence where it is clearly stated:

“...all men are created equal... they are endowed by their creator with certain inalienable rights... among these are life, liberty, and the pursuit of happiness... when a long train of abuses and usurpations pursuing invariably the same object evinces a design to reduce them (the people) under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security”

These principles sustained the armed struggle which the original 13 colonies waged against English colonialism in America. It is the first expression to question prevailing dogmas assuming a divine justification for oppression and subordination.

The repudiation of behavior violative of human dignity by authorities of the state and the belief in the right of the people to search for a redress of their grievances are fundamental sources of inspiration for the French Revolution of

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1789, the Latin American Revolutions of 1808 and the Russian Revolution of 1917. All these liberation struggles consolidate the principle that the people have the right to use all means at their disposal, including armed struggle, to get rid of a despotic regime which threatens their life, their liberty and their pursuit of happiness.

The use of despotic and tyrannic behavior to oppress people is a crime which justifies redress by those subjected to it. This is the legal principle established at the International Tribunal of Nuremberg which, in expanding previous dimensions, concludes:

... murder, extermination, imposition of slavery, deportation or any other inhuman act committed against the civil population... including persecution on account of political, racial or religious reasons, whether they are considered or not violations to the national law where they are committed, constitute a crime against humanity.”

A crime against humanity is one that not only affects an individual but is offensive to the whole conscience of humanity in so far as it has destructive effects over the possibilities of civilized living. The legal principles laid down at Nuremberg were defined within the context of an armed conflict. But, on 11 December 1946 the United Nations adopted the juridical principles of Nuremberg without restricting them to a situation of war. In this way, they expanded their international scope and the obligation for all member states to abide by them.

Further development of the concept that some crimes transcend national boundaries and are offensive to all humanity, and all member states should assist in their eradication, moved the U.N. to declare genocide, apartheid and colonialism a crime against humanity. And, like in 1776, 1789, 1808 and 1917 people subjected to those crimes have a right to use all means at their disposal to overcome the detrimental effects of such criminal actions.



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OF POLITICAL/POW PRISONERS IN THE US

The crimes against humanity represent a tremendous challenge to the so-called “Occidental democracies” since many of their leading countries have been habitual offenders. On this side of the Atlantic, the U.S. has been a principal promoter of genocide, racism and colonialism with particular reference to Native Americans, African-Americans and Puerto Ricans. In this regard it is significant to point out that the Convention on the Prevention and Punishment of the Crime of Genocide which was approved in 9 December 1948 and put into effect on 12 January 1951 was not ratified by the U.S. Congress until 18 July 1985, only with reservation, and went into effect on 4 November 1988, forty-four years after it was approved by the United Nations. Additionally, the International Convention on the Suppression and Punishment of the Crime of Apartheid which was adopted on 30 November 1973 and put into effect on 18 July 1976 was never signed by the United States; the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment adopted on 10 December 1984 and put into effect on 26 June 1987 has not been signed by the United States; and, the U.S. opposed the classification of colonialism as a crime against humanity as well as the United Nations resolution to terminate colonialism by the year 2000.

The behavior described previously with regard to those international instruments and national behavior inside the U.S.A. tends to clearly indicate that there is no effective recourse for the grievances of these nationalities within the official structure of the U.S. Government. Thus, the fate of Native Americans as a perpetually subordinated people was affirmed in 1831 when the U.S. Supreme Court, in *The Cherokee Nation vs. The State of Georgia* justified the continuous pillage of Indian territory stating:

“... If it be true that the Cherokee Nation have rights this is not the tribunal in which those rights are to be asserted. If it be true that wrongs have been inflicted, and that still greater are to be apprehended, this is not the tribunal which can redress the past or prevent the future.”

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The door was widely opened to the crime of genocide against Indigenous Americans. It took the 73-day occupation of Wounded Knee in 1973 to bring the approval of the Self-Determination Act which has not solved either the economic exploitation nor the problem of Indian self-determination.

The subordinate condition of Black/New Afrikans is upheld in the infamous Dred Scott vs. Sanford case in 1857 where the U.S. Supreme Court declared:

“... the right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it, like an ordinary article of merchandise and property, was guaranteed to the citizens of the United States, in every state that might desire it... And the government in express terms is pledged to protect it in all future time, if the slave escapes from his owner... and no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection than property of any other description...”

This again, opened the door to the southern apartheid, to the systematic lynching of Black people, the sharecropper repression in the 30 s, the criminalization of the Black Panther Party, the murder of civil rights activists, and Martin Luther King. The self-determination of the Black Nation has not been solved and “... hate crimes have tripled over the past seven years, many of them committed by young people...” who think their white skin confers privilege and superiority. There has been a rise in the number of openly racist organizations who preach violence and initiate attacks on African Americans.

Puerto Ricans have not faced any better. In 1901 the U.S. Supreme Court in *De Lima vs. Bidwell* stated:

“The Constitution confers absolutely upon the Government of the Union the power of making war and of making treaties; consequently that Government possesses the power of acquiring territory, either by conquest or by treaty”

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And then proceeds to indicate that Puerto Rico belongs to, but is not part of the United States. It belongs “to the Government of the United States, consisting of the President, the Senate, ... and the House of Representatives...”

This decision justifies the imperialistic expansionism of the United States who has ignored persistently the United Nations request that it allow Puerto Rico to exercise its right to self-determination and independence. The net result has been the systematic persecution of anti-colonial forces, the sterilization of one-third of women of child bearing age, the militarization of the country and the displacement of more than one-third of its population from their homeland.

As you can see, it comes as no surprise that individuals from these three oppressed national groups, and their supporters amongst White Americans, are the most prevalent among political prisoners in the U.S. They are people who are morally convinced that, like the 13 original colonies, they will not be able to get a redress for their grievances from the existing official normative structure.

In fact, that official structure has not only paid no attention to their claims but has shown a history of unremitting injuries which, in effect, prevent them from exercising their right to life, liberty and the pursuit of happiness.

Under such a predicament, individuals from these oppressed groups have called to their assistance the international legal principles which support their just cause. The reply of the U.S. government has been to ignore the applicability of international law, to deny the existence of political prisoners, to criminalize their behavior and incarcerate them for protracted periods of time in order to prevent their continued involvement in their rein vindicative struggle. To make things worse, their conditions of incarceration are selectively discriminatory and violative of each and every one of the Standard Minimum Rules for the protection of persons subjected to detention or imprisonment, of which the United States is a signatory party.

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What is there to do in order to change such conditions of a clearly tyrannical domination? At the national level there is the recourse of town meetings to bring into the open the whole issue of violations of human rights against oppressed national groups in the U.S. and White-Americans who have supported them. At the international level there is the possibility of a moral International Tribunal: one not vested with any power from the state but by the ethical conscience of humanity expressed through distinguished personalities from the world. This type of tribunal originated with the Bertrand Russell Tribunal that passed judgment on the crimes committed by the United States and other accomplice states against the people of Viet Nam. The Tribunal we are convening is a moral one. We are asking a group of eleven international jurists and personalities of moral rectitude to pass judgment on the conditions of political prisoners in the U.S., to examine the persistent violations of their human rights while incarcerated under the most degrading conditions and to condemn in no uncertain terms the “long train of abuses and usurpations” designed “to reduce them under absolute despotism”, and affirm their right to the pursuit of happiness as guaranteed both by international law and the U.S. Constitution.

Two basic considerations are necessary if the moral judgment we are requesting is to take place. First, we must help to break the impact of the economic subordination of Indigenous Americans, Black/New Afrikans and Puerto Ricans which prevents them from the accessibility to economic resources to help finance the design and implementation of strategies towards their own recuperation. They need your material help as of now. Be as generous as you can to make sure that the issue of human rights violations gets a fair chance of being aired publicly. Secondly, there is a need for a moral indignation condemning these crimes against all of humanity—genocide, racism and colonialism—violative of the inherent and inalienable rights endowed upon all human beings by their creator and which have become part and parcel of the power structure governing this country.

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I am asking, that we all make the condition of suffering and exploitation of these persons our own personal situation. I invite each and every one of you to emotionally travel the roads to the prisons with me. To cross the barbed wire, to feel the metal doors close behind you and relate to Alejandrina Torres, one of our prisoners of war. Battered, raped, and isolated in an effort to force her to commit suicide. Unable to cry. There are no more tears to shed. Her body controlled by the jailers but her faith and her absolute hope that her people will be free have sustained her through this ordeal. Let us share her suffering with action.

I invite you to share with Alan Berkman the agony of his death. He knows he has cancer. He also knows that urgent medical treatment can save him. But the remedies are kept away from him by his jailers. He dies hour by hour while the sadistic bureau of prison officers enjoy his agony. His spirit gives him the strength to hope and wait. Let us join Alan in his suffering for his commitment to a more humanitarian society. Let us share his sacrifice in action.

I invite you to share with Leonard Peltier the trail of tears of his incarceration. Condemned to life imprisonment for a crime American authorities know he did not commit. A government who hid the exculpatory evidence to eliminate by his incarceration a defender of his people's rights. Let us share the deprivation of his liberty with action. I invite you to share with Mumia Abu-Jamal the chilling silence of his cell while waiting for the final time to be moved to the death cell. For a crime he did not commit. But, for his engagement in the struggle for the betterment of his Black brothers and sisters. Let us all go in spirit to that jail and live in our own soul and body the oppression he is suffering for his dedication to freedom. Let us join Mumia Abu-Jamal in action.

Let us, brothers and sisters, commit ourselves to a continuous work towards the elimination of existing abuses against the political prisoners and help in culminating a strategy of redress that will assure their freedom. Because, brothers and sisters, their freedom, not only in the written context of the

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law but also in the experiential content of their daily lives, is an expansion of our own freedom; their liberation is an extension of our own liberation; and mutual liberation is an expression of love. Thanks to you all with the affection and love of all the political prisoners and prisoners of war in this country. Let's redeem their agony! Because they are the bridges to a new hope.



